



- Initiation of a fight at a downtown Seattle pub
- Failure to report any contact with law enforcement: he was issued over a half dozen parking citations, one of which went to collection for nonpayment, while operating my vehicle. He held out such vehicle to be his property.
- Unauthorized use of my vehicle to travel outside the restricted area
- Unlawful transfer of funds: he was ordered by his former employer (General Manager) to return \$600 he attained through duplicity from a newly hired Accountant after his termination
- Misrepresentation of himself- both past and present- in order to facilitate scams that involve his solicitation/attainment of money and use of vehicles from unsuspecting victims

Michael J. Larson, U.S. Probation Officer, is aware of Mr. Durall's above actions and has taken prompt steps to corroborate such. His behavior clearly indicates that he has no intent to rehabilitate and thus cease his victimization of innocent, unsuspecting individuals, such as myself.

Admittedly upset about my victimization, I researched Mr. Durall's extensive criminal history, including his "cooperation" with federal and state law enforcement agencies. The seriousness of his history alarms me. On August 3, 2002, I relocated from Seattle back to the East Coast due to difficulty I experienced with the SPD in regard to enforcement of a temporary protection order against Mr. Durall. I am disturbed not only by his conduct with me, but also against other women. There are at least two protection orders against Mr. Durall. There also are many other women, who have been in similar situations with him since his supervised release on August 21, 2000.

It appears that Mr. Durall must again be incarcerated to protect the community from his deviant behavior. As such, I believe his current actions warrant a probation revocation hearing. Thank you for your time and consideration.

Sincerely,



Monique M. Spivey

Enclosures

ENTERED  
ON DOCKET

AUG 10 1989

Judge Rothstein

By Deputy

CC: OSMD

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

v.

DARRIS MARK DURALL,  
a/k/a Darris Mark Tuck,  
Snohomish County Jail  
Everett, Washington  
SSN: 518-7605917

Defendant.

NO. CR89-100R

JUDGMENT  
AND COMMITMENT

AUG 11 1989

CLERK U.S. DISTRICT COURT  
SEATTLE

On this 4th day of August, 1989, came the attorney for the Government, and the defendant appeared in person with his counsel, Joseph Schlesinger.

IT IS ADJUDGED that the defendant upon his pleas of GUILTY, and the Court being satisfied there is a factual basis for the pleas, has been convicted of the offenses of violating Title 18, United States Code, Sections 922(g) and 924(e) and 2, the armed career criminal statute, as charged in Count I of the Information, and Title 18, United States Code, Section 371, conspiracy, as charged in Count II of the Information, and the Court having asked the defendant whether he has anything to say why judgment should not be pronounced, and no sufficient cause to the contrary being shown or appearing to the Court,

JUDGMENT AND  
COMMITMENT/TUCK - 1  
(1230Z)UNITED STATES ATTORNEY  
3600 Seafirst Fifth Avenue Plaza  
Seattle, WA 98104  
(206) 442-7970

20

1 IT IS ADJUDGED that the defendant is GUILTY as charged and  
2 is convicted.

3 IT IS ADJUDGED as to Count I, pursuant to the Sentencing  
4 Reform Act of 1984, Pub. L. No. 98-473, tit. 2, ch. 2, 98 Stat.  
5 1987, that defendant is committed to the custody of the Attorney  
6 General or his authorized representative for imprisonment for a  
7 term of FIFTEEN (15) YEARS to be followed by a term of supervised  
8 release of FIVE (5) YEARS under the following conditions:

9 1. That defendant obey all local, state, and federal laws;  
10 2. That defendant comply with the "standard" conditions of  
11 supervised release as set forth in Section 5B1.4 of the  
12 Sentencing Guidelines.

13 3. That defendant participate in a substance abuse  
14 program, to include random testing, as directed by the probation  
15 office.

16 IT IS ADJUDGED as to Count II, pursuant to the Sentencing  
17 Reform Act of 1984, Pub. L. No. 98-473, tit. 2, ch. 2, 98 Stat.  
18 1987, that defendant is committed to the custody of the Attorney  
19 General or his authorized representative for imprisonment for a  
20 term of FIVE (5) YEARS. This sentence of imprisonment as to  
21 Count II is to run concurrently with the sentence of imprisonment  
22 imposed on Count I.

23 IT IS THE RECOMMENDATION of the Court that defendant be  
24 imprisoned in a facility outside the Bureau of Prison's Western  
25 Region.  
26

JUDGMENT AND  
COMMITMENT/TUCK - 2  
(1230Z)

UNITED STATES ATTORNEY  
3600 Seafirst Fifth Avenue Plaza  
Seattle, WA 98104  
(206) 442-7970

1 IT IS ORDERED that defendant be kept separated from Roger  
2 Jonathan Scott Campbell, Stan Philip Peterson, and Edward Gordon  
3 Westerdahl III, defendants in CR89-87R (W.D. Wash.), during his  
4 period of confinement.

5 The Court finds that the defendant has no income, or  
6 likelihood of future income, and no substantial assets.  
7 Therefore, defendant's financial situation precludes payment of a  
8 fine and the costs of incarceration, and for that reason, the  
9 Court departs from the Guidelines and imposes neither.

10 IT IS ORDERED that the Clerk deliver a certified copy of  
11 this Judgment and Commitment to the United States Marshal or  
12 other qualified officer and that the copy serve as the  
13 commitment of the defendant.

14 DATED this 9<sup>th</sup> day of August, 1989.

15  
16   
17 CHIEF UNITED STATES DISTRICT JUDGE

18 Presented by:

19   
THOMAS C. WALES

20 Assistant United States Attorney

21  
22  
23  
24  
25  
26  
JUDGMENT AND  
COMMITMENT/TUCK - 3  
(1230Z)

UNITED STATES ATTORNEY  
3600 Seafirst Fifth Avenue Plaza  
Seattle, WA 98104  
(206) 442-7970

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA, )

Plaintiff, )

vs. ) CR89-100R

DARRIS M. DURALL, a/k/a )

DARRIS TUCK, )

Defendant. )

FILED  
LODGED  
RECEIVED

SEP 1 1989

CLERK U.S. DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
BY DEPUTY

ORIGINAL

VERBATIM TRANSCRIPT OF PROCEEDINGS, before the  
Honorable BARBARA J. ROTHSTEIN, United States District Judge,  
occurring on August 4, 1989, at the United States Courthouse,  
Seattle, Washington.

21

1 MR. WALES: Good morning, Your Honor, Tom Wales for  
2 the United States.

3 MR. SCHLESINGER: Good morning, Joe Schlesinger.  
4 It's obvious Mr. Hillier is not here. He discussed the case  
5 with me, with my client, his client, and Mr. Tuck and I have  
6 discussed the matter, and he is prepared to go ahead with me at  
7 sentencing this morning.

8 I have read the file, Your Honor. I think probably  
9 everyone else here is more conversant with the facts than I am.  
10 My client is very concerned about his safety given his level of  
11 cooperation, and for that reason we would ask for a  
12 recommendation that he be designated to an institution outside  
13 this region, preferably the northern region. And we have done a  
14 little investigating of Otisville, which is a Level Four  
15 institution, is probably the most suitable one. We would be  
16 asking the Court for a recommendation as to that.

17 Obviously we are asking the Court to accept the  
18 plea agreement. I heard Mr. Wales stand up to plea agreements  
19 like this before and put defense counsel to shame, including  
20 myself, as to reasons it ought to be accepted, and I'll leave  
21 that to him in this case.

22 Mr. Tuck would like to explain himself to the  
23 Court.

24 THE COURT: Do you want to address the Court, Mr.  
25 Tuck?

1           MR. TUCK: I do want to say a few words. I never  
2 hurt anybody in my life, you know. I recognize the potential  
3 for somebody getting hurt and the emotional distress created. I  
4 have accepted the responsibility for what I did, and I think the  
5 Government has benefited from my cooperation. I agreed to  
6 cooperate with the Government shortly after my arrest before I  
7 was charged with any federal charges. And, you know, there have  
8 been some threats that have been made against me, some  
9 obstruction charges filed, and I take those threats very  
10 seriously.

11           When I was in Court a couple weeks ago, they  
12 mentioned the names of people who were in custody. They put a  
13 contract out on my life, you know. Throughout this  
14 investigation I believe the Government has been sensitive to my  
15 concerns about my safety. But, you know, like when the agent  
16 called me, or Mr. Wales needed to speak to me about the case, on  
17 one or two three occasions the jail staff announced over the  
18 intercom for me to call the special agent in charge of my case.  
19 I end up getting assaulted. I was, you know, in the hospital.  
20 I couldn't walk for six weeks.

21           So all I am saying, I don't have any regrets about  
22 this code of silence. I don't see any value in that, when I get  
23 out, that I cooperated with the Government. I feel that I did  
24 the right thing. But I have also seen what happens when you  
25 have that stigma when you do cooperate, and the retaliation

1 that, you know, you can experience.

2 That is why, you know, I am asking the Court if you  
3 would accept the agreement, if you would recommend an  
4 institution other than the ones where the inmates, other  
5 inmates, the defendants are going to be, but also outside this  
6 region because they have all been to prison several times and  
7 they know a lot of different people in the prison system,  
8 Phoenix and Lompoc. And for that reason we are asking for that.

9 I am sorry for what I did. And 15 years seems like  
10 a long time, you know, grade school, but I think there is still  
11 an opportunity for me to make a positive difference with my  
12 life, and I just encourage the Court to accept my plea. Thank  
13 you.

14 THE COURT: Mr. Wales.

15 MR. WALES: Your Honor, I will be relatively brief.  
16 Mr. Tuck is obviously guilty of a very extensive list of very  
17 serious crimes. He has agreed to plead guilty to a stipulated  
18 15-year sentence, and we would urge the Court to accept that  
19 plea agreement both because we believe the 15-year sentence,  
20 which is a guideline sentence, and without the possibility of  
21 parole, is appropriate under the circumstances, in any event.  
22 But we believe it is particularly so in light of Mr. Tucks'  
23 cooperation. That cooperation, as he has suggested, has been  
24 full and complete, essentially from the outset following his  
25 arrest. It has involved being extensively debriefed, both in

1 this jurisdiction and in the district of Oregon. On numerous  
2 occasions Mr. Tuck voluntarily made a number of telephone calls  
3 that were recorded to his co-defendants in the case, and through  
4 his cooperation, and only through it, were we led to other  
5 witnesses who corroborated his testimony and provided, prepared  
6 to provide damaging testimony with respect to the defendants.

7 Mr. Tuck cooperated really beyond the bounds called  
8 for in his plea agreement. He testified before the grand jury  
9 extensively, and he continued to cooperate even in the face of  
10 what we are convinced through corroborating evidence provided by  
11 another witness, was in fact a death threat made to him by Scott  
12 Campbell while they were both in the lockup downstairs of this  
13 building. I think it fair to say Mr. Tucks' cooperation led  
14 directly to the guilty pleas with which the Court is familiar  
15 which were entered as of yesterday, and we would ask the Court  
16 for all of those reasons to accept the plea agreement.

17 THE COURT: The Court is ready to pronounce  
18 sentence at this time, and unless counsel sees some reason I  
19 should not.

20 MR. SCHLESINGER: No, Your Honor.

21 THE COURT: Mr. Tuck, I am going to accept the plea  
22 agreement and I am going to sentence you to the 15 years. And I  
23 believe there is a period of supervised release after that, and  
24 I am going to impose a period of five years supervised release  
25 with special conditions, one of which is the substance abuse

1 program be entered into by you, if being advisable by the United  
2 States Probation Office. And, of course, the usual conditions  
3 of a supervised release period, Mr. Tuck, that you not violate  
4 any laws of the state in which you reside or any federal laws.

5 And let me make a comment, Mr. Tuck, for your  
6 benefit. I am going along with the plea agreement. I do have  
7 some reservations about it, but I think in light of your  
8 cooperation, which, according to Mr. Wales, has been genuine,  
9 has been extensive and has been possibly some great danger to  
10 yourself. I am going along with it also because it falls within  
11 the range of what an acceptable sentence would be.

12 But let me say this to you, Mr. Tuck, your past  
13 history and your violations leave this Court to believe it is  
14 only a matter of luck that you haven't hurt someone. I know you  
15 take some sort of consolation in the fact although you have used  
16 guns, explosives, nobody really got hurt, as if in some way that  
17 means that you weren't out to hurt anyone or you wouldn't really  
18 have hurt anyone. The kinds of crimes you have committed are  
19 about as violent as you can get short of hurting someone. Had  
20 something gone wrong, had somebody resisted, had you thought  
21 somebody resisting or endangering you in some way, the Court is  
22 persuaded somebody would have got hurt.

23 When you are out on that supervised release, or if  
24 you come before this Court or any other Court again, rest  
25 assured, Mr. Tuck, that 15 years will look like a light

1 sentence, because you'd be going away, as far as I can read your  
2 history, you'd be going away for the rest of your life. And you  
3 are a young person, and it's clear to the Court you are an  
4 intelligent person. How much ability you have to change your  
5 behavior is entirely up to you. I strongly urge you to spend  
6 this time doing that.

7           And I know jails have all kinds of influences and  
8 settings, and you can use the time to change, you can use the  
9 time to plan for when you get out to continue the way you have  
10 been going, you will be a fairly young person when you get out.  
11 Let me tell you the record you build up for yourself, you better  
12 realize what you are facing if you break the law again after you  
13 get out. I feel I need to say that. Even though it's 15 years,  
14 it's going to take awhile to change this pattern. And I  
15 strongly urge you to do so.

16           I'll accept a recommendation that he be  
17 incarcerated outside the district, but I will not specify an  
18 institution. I just, I don't know enough about Otis, or whether  
19 he is appropriate for Otis, or whether Otis is overcrowded. I  
20 don't want to get into that. But I think it is appropriate that  
21 the place of incarceration be outside this region. So if that  
22 would be included, I think that is a fair request.

23           MR. WALES: Your Honor, would the Court consider  
24 including in the Judgment and Commitment a further order that  
25 Mr. Tuck be kept separate?

1 THE COURT: Yes. That would be good wording  
2 because we don't know, maybe some of these will end up outside  
3 the region, and that will probably be good language.

4 And I am not going to impose a fine in light of the  
5 length of the sentence. I think a fine would be impractical.

6 Anything else?

7 MR. SCHLESINGER: Nothing further, Your Honor.

8 Your Honor, there were two counts.

9 MR. WALES: Your Honor, I understood from the  
10 Court's acceptance of the plea agreement the Court intended  
11 Count I to be a sentence of 15 years, Count II five years  
12 running concurrent?

13 THE COURT: Exactly.

14 MR. SCHLESINGER: Thank you, Your Honor.

15 THE COURT: Mr. Wales, are you going to be around  
16 for awhile?

17 MR. WALES: Certainly.

18 THE COURT: It's going to be a long morning, and I  
19 don't know if you want to wait especially. I have one matter  
20 pertaining to all the things that happened yesterday with the  
21 pleas to discuss with you. If you have nothing further before  
22 the Court, maybe you could give me a call later.

23 MR. WALES: Certainly. In fact, perhaps I could  
24 stop into the Court's chambers and leave word where I will be  
25 and perhaps they will call me.